the defendant corporations under the circumstances shown be declared illegal and that each of them be enjoined from continuing to hold or own such shares and from exercising any right in connection therewith.

6. That the said several defendant corporations shown as aforesaid to be constituents or subsidiaries of the United States Steel Corporation be enjoined and prohibited from declaring or paying any dividend to the said United States Steel Corporation or to any person or corporation for its use.

That it be decreed that the several individual defendants combined each with other persons and corporations to restrain trade and commerce and to attempt to monopolize and in monopolizing within the first and second tions of said act and that each of them be enjoined from continuing to carry out the purposes of any of the above described combinations and conspiracies and attempts to restrain commerce and trade or to monopolize any part of commerce and trade among the States and with foreign nations.

8. That such orders and decrees be made in respect of the stock issued under the several combinations aforesaid as shall be in accordance with equity and good conscience and that such disposition be made of the said various properties as shall effectuate the purposes of the said anti-trust act.

9. That the said lease entered into as aforesaid by the Great Northern interests and the Great Western Mining Company be decreed to be illegal, in restraint of trade and commerce, an attempt to monopolize and a monopolisation within the first and second sections of said act and that the same be now

10. The United States also prays for such other and further relief as the nature of the case may require and the court may deem proper in the premises.

LIST OF THE DEPENDANTS. Company of New Jersey, the Federal Steel Company, the National Steel Company, the American Steel and Wire Company of New Jersey, the National Tube Company, the Shelby Tube Company, the American Tin Plate Company, the rivals. American Sheet and Tin Plate Company, the American Sheet Steel Company, the American Steel Hoop Company. American Bridge Company, the Lake Superior Consolidated Iron Mines, the Union Steel Company, the Clearton Steel Company, the H. C. Frick Coke Company, the Tennessee Coal and Iron and Railroad Company, the Great Western Mining a crisis. A "battle of the giants" Company, the West Missabe Land Company, Limited, the Wright Land Com- Journals. pany, Limited, the Davis Land Company, HE HAD TO BE BOUGHT OUT OR COMPETED Limited, the Wells Land Company, Limited, the Stone Land Company, Limited, the Wabigon Iron Company, the Minosin Iron Company, the Nibiwa Iron Company, the Wenona Iron Company, the Minawa Iron Company, the Leonard Iron and Mining Company, the Argur ing Company, the Polk Iron Mining Company, the Tyler Iron Mining Company, the Vanbeuren Iron Mining Company. Louis W. Hill, James N. Hill, Walter J. Hill, Edward T. Nichols, J. H. Gruber, J. Pierpont Morgan, Charles Steele, George W. Perkins, E. H. Gary, Charles M. Schwab, Andrew Carnegie, Henry C Frick, James Galey, William H. Moore J. H. Moore, Edmund C. Converse, Pero val Roberts; Jr., Daniel G. Reed, Nor-

THE GOVERNMENT'S PETITION After enumerating the individual and corporate defendants against whom the action is directed the petition of the Attorney-General describes conditions in the steel business prior to the consolida-

nan B. Ream, John D. Rockefeller, John

William P. Palmer.

revolution in the steel and iron business, characterized by great consolidations, resulting in bringing by the year 1000 a very large proportion of important branches of those industries, such as crude and semi-

In 1868 there began a rapid and radical revolution in the steel and iron business, characterized by great consolidations, fresulting in brinking by the year love avery defendants with the formation and operation of the connection of the individual stock. The connection of the individual stock are proportion of important branches of those industries, such as crude and semi-finished steel, rail, structural steel, plates, merchant bars, wire rods and wire products, sheets, in plate and tybes, under the control of consolidated concerns, each comprising many who formerly had been comprising many who formerly had been comprising many who formerly had been competitors.

COMPETITION STILL ACTIVE IN 1999.
The petition then describes in detail the donosolidations effected by the various groups of plants going to make up the became a member of the first formation. The remainder of the corporation of the company of the corporation. The remainder of the first possibility of the company of plants going to make up the became a member of the first board of the sorbed by the United States Steel Corporation. These included the Federal Steel Company, the Carmegic Company of New Jersey, the American Steel and Wire Company of New Jersey, the American Steel and Wire Company of New Jersey, the American Steel company of the corporation in the Necture of the first combinations for the first combination of the company of the corporation making the product of the corporation making the product of

while these corporations were advistual in the field the petition says:

While through the formation of the companies aforesaid competition was largely eliminated in their respective lizes, there was in format up to the time when effective steps were also in competition with support the companies and the companies and the variety of the companies and the variety of the companies and the variety of the companies and the companies and treat controlling them severally to lizer enterprise and more ambitious plans modern a products. The stress achieved and the power gained by the consolidation stained in the companies and treat controlling them severally to lizer enterprise and more ambitious plans modern further teministion of competition, which was brought about through the 1 third States Steel Company and the American Steel Com

being closely affliated through a common

The American Steel and Wire Company which in its beginning enjoyed a practical monopoly in wire products and subse-quently had acquired iron and coal prop-erties and a vessel fleet, was mainly de-

Exclusive American and pean sales rights offered strong organization by manufacturing concern making high grade patented specialty for men. Proposition has unlimited possibilities if backed by powerful distributors who must b to finance publicity campaign.

Business of competing concern with no better article figures in Demand universal. This notice is inserted for big people, others save time by keeping off. Goods ready for market November first. Representatives will furnish information and demonstrate now. STERLING, box 108 care of The Sun.

production of wrought pipe and tubes in the United States, purchased a very large part of its crude steel.

MOVEMENT TOWARD CONSOLIDATION The American Sheet Steel Company, the American Tin Plate Company and the American Steel Hoop Company were only partially protected as to obtaining their raw material through a common control. these concerns to control their raw material and all stages of the manufacture of their products.

For example, the American Steel and Wire Company, whose constituent concerns had largely patronized the Federal Steel Company and the Carnegie Company, planned in 1900 to make its own iron and The National Tube Company, a proposed to erect additional blast furnaces and steel works. The American Tin Plate Company, the American Sheet Steel Company and the American Hoop Company pany, and other makers of steel were making themselves independen through the increase of the crude steel capacity of the National Steel Company erties and a fleet of lake ore vessels

CARNEGIE A DISTURBING COMPETITOR. Thus competition, under old methods of doing business having been restricted The defendants named in the petition stroyed, threatened to make a new way are: The United States Steel Corporation. and reestablish itself in a vigorous fight. the Carnegie Steel Company, the Carnegie The leaders to the steel industry feared the breaking down of the restraints upo or complete monopolies which they the Federal Steel Company saw the danger of their former customers becoming their rivals. Both of these companies took step looking to the manufacture of finished the and universal plates.

negie interests announced that they would erect an immense tube plant at Conneaut petition had already been foreshadowed This announcement brought affairs cussed in the daily papers and in the trade

WITH. If each of these actual and prospective competitors had worked out its own destiny in trade, commerce and production, unobstructed by combinations or agreements entered into for the purpose of restrainamong the States, and between the States Iron Mining Company, the Phillmore and foreign countries, new plants would lron Mining Company, the Harrison Iron have been established, and such trade and Mining Company, the Jackson Iron Min-commerce would have developed under commerce would have developed under different conditions, and free from restraints which, as will be shown, were immonopolizing in part such trade and com-

An opportunity was offered, through further consolidation and restriction of trade and commerce, for enormous profits, as a reward for effecting the combination stocks. On account of its announced purpose, which contributed largely D. Rockefeller, Jr., P. A. B. Widener and of its great strength, it was manifest that in order to form an effective combination it was necessary to control the Carnegie company. Considering the magnitude of the entire undertaking it was carried to a conclusion with unprecedented swiftness

"William H. Moore, J. H. Moore and Daniel G Reid were active organizers of the corporation and controlled the terms on which the American Tin Plate, American Hoop, American Sheet Steel and National Steel companies were taken over by the corporation. William H. Moore and Daniel G. Reid became members of the first board of directors of the corporation.

tion "Edmund C. Converse was president and

anddirector of the American Bridge Company, was active in bringing about the combination and became a member of the first board of directors.

"Norman B. Ream was a director of the Federal Steel Company, took part in bringing about the combination and became a member of the first board of directors of the corporation.

BOCKERLINES ON THE LIST.

"John D. Rockefeller and John D. Rockefeller, Jr., were largely interested in the Lake Superior Consolidated Iron Mines, John D. Rockefeller being a director in that company. Both of them participated in bringing about the combination and became members of the first board of directors of the corporation.

"P. A. B. Widener was a director in the American Steel and Wire Company of New Jersey, took part in bringing about the combination and became a member of the first board of directors of the corporation. ROCKEPELLERS ON THE LIST.

poration.
"William P. Palmer was president and Wire director of the American Steel and Wire Company of New Jersey, took part in bringing about the combination and conpany to the corporation." \$600,000,000 EXCESS CAPITALIZATION AL-

After showing the basis upon which the various properties were taken over by the Steel Corporation, the petition charges that its capitalization was not less than \$600,000,000 in excess of the values of the properties. Upon this point the bill save.

the bill says:

"The capitalization was vastly in excess of the amount upon which those properties under normal conditions could earn a fair return. The earnings of the cortains of the cortain with the capital same and the capital the bill savs: poration were not commensurate with its actual capital, nor were they entirely the legitimate fruits of the earning capac-ity of these ity of those properties separately con-trolled, however well administered, but were to a very large extent, approximately one-half, the result brought about by the power exerted over trade and commerce by such a vast combination of capital, the restraint imposed upon trade and commerce, the suppression of competi-tion, the influence upon the control of prices and the many direct and indirect dvantages derived from the cooperation of so many men of influence in trade and commerce, who formerly acted in rivalry drawn together by the combination in a common interest. Consumers and the public at large were, through the power created and exerted by such a vast combination, compelled to pay an unlawful tribute of many millions of dollars annually to the compensation.

absorbed companies, which stock itself had been issued upon a partly inflated basis, and of the balance many millions of dollars were a reward for mere promotion and underwriting. In the direct expension issued

agers. The syndicate turned over to the corporation \$25,000,000 in cash, which constituted all that was added of intrinsic value to the properties combined except for \$3,000 cash paid in by the incorporators and sundry stocks of a par value of \$174,000. For this consideration and its expenses, services and risk the syndicate received \$64,998,788, par value, syndicate received \$64,998,768, par value, of preferred, and \$64,998,837 of common stock of the corporation. This enormous takeout was possible because the syndicate managers and those most influential different conditions, and free from re-straints which, as will be shown, were im-posed with the purpose and effect of unduly of several of the constituent companies restraining such trade and commerce and poration itself.
"The underwriting syndicate included

several who variously were officers or directors of the companies which were combined. The total amount of the new capitalization, representing payments in stocks to syndicates as promoters for organizing the new corporation and the previous combinations which it took over, exceeded \$15,000,000 after allowing over, exceeded \$15,000,000 after allowing for new capital contributed and reason-able expenses. The new inflated capi-talization of the corporation exceeded the old inflated capitalization of the constitthe uent concerns, plus the new cash carital provided and sundry stocks as above mentioned, by \$415,481,732, or by over 45

Attorney-General describes conditions in the steel business prior to the consolidation, which took place from 1898 to 1990.

These are summarized as follows:

Previous to and until the year 1898 the bulk of the iron and steel business of the Linted States among the several States and between the several States and between the several states and foreign countries was carried on by many different persons, partnerships or corporations which method countries was carried on by many different persons, partnerships or corporations which series in active and general competition with each other, except at various limes and ombinations

In 1898 there began a rapid and radical FICTITIOUS BASIS FOR DIVIDENDS.

TOO MUCH FOR CARNEGIE.

value of the iron ore under free commercial conditions and could only be sustained as an artificial valuation produced by the power for monopoly of the large holdings under control.

EXCUSES MADE FOR ROOSEVELT. In detailing the acquisition of various rettes and a vessel fleet, was mainly dependent on other producers for the steel pendent on other producers for the steel billets used in making its product. The National Tube Company, which at its formation controlled the greater part of the Steel Corporation.

**At the meetings have been represented in the Maining the acquisition of various of the Steel Corporation a chapter of the petition is devoted to the methods employed in gaining control of the Tennessee United States, fully 90 per cent. of the total. In no line of business in the world at any

PLEASE EXCUSE

John's absence from school yesterday. His father died.

It shall not occur again." That is a joke, but it is no joking matter when that sort of ambiguity creeps into a building contract.

Bring your proposition to us and we will give you the squarest contract ever written. THOMPSON-STARRETT COMPANY

Building Construction Fifty-One Wall Street

Incidentally the petition seeks to justify the position taken by President Roose-velt upon the ground that when E. H. Gary and H. C. Frick called upon him in Washington they misled him as to the true

situation. On this the petition says:
"The President was not made fully acquainted with the state of affairs in New fork relevant to the transactions as they existed. If he had been fully advised h would have known that a desire to stop the panic was not the sole moving cause but that there was also a desire and purpose to acquire the control of a company that had recently assumed a position of potential competition of great significance. The President, taken as he was partially into confidence and moved by his appreciation of the gravity of the situation and the necessity for applying what was repre-sented to him to be the onlyknown remedy stated that he did not feel it to be hidury to prevent the transaction. The matter then moved rapidly to consumma-

"The corporation and its powerful banker allies did not advance the money or lend the bonds of the corporation upon the Tennessee stock, which would have relieved Moore & Schley so far as the Ten-nessee collateral was concerned and which would not have exceeded \$6,000,000 or \$8,000,000. They took the position that nothing would relieve the situation but the Steel Corporation taking over absonually to the corporation.

"Much stock was issued on an inflated basis in exchange for stock acquired in absorbed companies, which stock itself amount up to \$30,374,825, leaving outstanding only \$220,160. The corporation exchanged for the stock its own bonds on a basis which paid par in cash for stock which Gary a few days before said was securities the corporation issued not worth more than sixty cents on the

change of securities the corporation issued \$1.191.882.532 of stock and bonds in exchange for a total of \$881.224.405 stocks of the constituent companies and Carnegie company bonds.

PAYMENT TO MORGAN SYNDICATE CRITICISED.

"The carrying through of consolidation was entirely under the supervision of J. P. Morgan & Co. as syndicate managers. The syndicate turned over to the corporation \$25,000,000 in cash, which constituted all that was added of instrincia value to the control to the control acquired 447.423 cares of mineral lands in Tennessee. Georgia and Alabama, containing approximately 400,000 tons of merchantable ore and 1,200,000,000 tons of coal, of which over one-third is coking coal. The pos-sibilities of the Tennessee properties and sibilities of the Tennessee properties and the development of its raw material are immense and greatly increased the control by the corporation over the total available ore supply of the country.

STEEL'S POWER A MENACE THAT SHOULD "The corporation thus greatly strength-ened its control of the iron ore supply of the country, its predominating posi-tion in the iron and steel trade of the

tion in the iron and steel trade of the South, eliminated a competitor and unlawfully acquired a power which is a menace to the welfare of the country and should be destroyed."

The Government alleges the existence of numerous pools and agreements by which it is charged the defendants sought to suppress competition, maintain prices.

to suppress competition, maintain prices and restrain commerce and trade among the States and with foreign countries. It then describes the system of "inter-locking directorates," by which it is charged the control of the corporation the business of the country was extended to a point never before rein the history of the world. Of directorates the petition says:

"In addition to pools a more euphonis, refined, but none the less effective ethod came into vogue. Conditions

"Under the policy of the Steel Cor-poration there grew up a community of interest and a power to influence action

information and declaration of purpose amounts to an agreement or combination in restraint of trade. These meetings and their results have gone further. What they actually accomplished shows the great and dangerous power achieved by the corporations through unlawful combination exercised over the trade and commerce of the country. The concerted action taken has prevented fluctuation in prices and competition.

time has there been such a large percentage of those engaged in a business as the percentage of those in this country who at these meetings go along day by day, hand in hand, pursuing the same course. At the time of one of these meetings held in New York, January 11, 1911, there was not in this country a demand for more than 50 per cent. of the total producing capacity in the lines of those there represented, and there was not enough business to go around, and there was no possible time has there been such a large percentage of those engaged in a business as the percentage of those in this country who at these meetings go along day by day, hand in hand, pursuing the same course. At the time of one of these meetings held in New York, January 11, 1911, there was not in this country a demand for more than 50 per cent. of the total producing capacity in the lines of those there represented, and there was not enough business to go around, and there was no possible way of protecting themselves from com-

way of protecting themselves from com-petition, except by coming to an under-standing that each would be satisfied with a proportion of the business which was understood by all, and this understanding was carried out and no one of them com-peted for the recognized business of the other.

HONOR DEARER THAN LIFE. "These meetings accomplished more than did the old pools and agreements which were frequently broken. It was understood and agreed that they were understood and agreed that they were bound to protect one another, that to carry out this purpose their honor was at stake, and that the obligation binding on them was even dearer than life itself, and that no one of them should act or fail to act, except with a distinct and clear understanding that his honor was involved, and that this was more binding on him than any written or verbal contract.

that this was more binding on him than any written or verbal contract.

"When bidden by the chief executive of the corporation they came at any time, from any distance, ready, willing and anxious to turn over to him and to his friends all that was in their minds and in their hearts concerning their own business.

"By these meetings an interchange of information and understanding each became in honor bound not to get the trade of the other, and each by the concerted action acquired participation in the direction." action acquired participation in the direc-tion of the affairs of the other."

DICKINSON DREW THE BILL. La Foliette Progressives Think They See

WASHINGTON, Oct. 26 .- Announcement

to dissolve the United States Steel Cor- served papers. poration became known in Washington shortly after 3 o'clock this afternoon. distance telephone from the United States Attorney for New Jersey that he had filed the bill in the United States Court at Trenton. Only this statement was issued from the Department of Justice: "A petition was filed to-day in the United States Circuit Court at Trenton. N. J., against the United States Steel Corporation and its subsidiary compa-

nies charging them with being an unlawful combination in restraint of trade and a monopoly or attempt at monopoly The petition was prepared by the Hon. J. M. Dickinson, former Secretary of War, who was some two months ago retained by the Attorney-General for the purpose of making careful examination of all the evidence which had been collected by the Department of Justice, together with that taken by the Stanley committee. Judge Dickinson's report, submitted to the Attorney-General is embodied in the petition filed to-day." The most surprising thing in this was

the fact that Jacob M. Dickinson, former Secretary of War, had prepared the case. It has been stated officially at the Department of Justice that the investigation of the steel trust case was in the hands of Solicitor-General Lehmann, and in corroboration of this statement it was said to-day that Mr. Lehmann had advised with Mr. Dickinson in the preparation of the case. It is said also that he will play an important part in the

prosecution.

The Attorney-General showed some satisfaction to-day that the artiful facts of the affair had been kept so quiet. It was said by one of his adviser that the preparations for the suit had been guarded as carefully that only four persons have preparations for the suit had been guarded so carefully that only four persons knew of it. These were the Attorney-General, the Solicitor-General, Mr. Dickinson and Frank Cole, private secretary to the Attorney-General. Mr. Cole even volunteered to do the necessary typewriting to eafeguard the information. Asked how he accounted for the fact that several newspapers had printed the fact that a case was to be brought against the Steel Corporation, this officer replied, that Corporation, this officer replied, that they had merely "guessed at it."

The progressive managers of the La Follette Presidential boom were saying to-night that the prosecution was not started in good faith. They declare that it is a political move designed to strengthen

President Taft for reelection and will do President latt for reelection and will do duty in the next campaign and then be allowed to languish. Senator La Follette is reported to have said that the attitude of the Steel Trust the last few weeks in groping for a way out of its difficulties and to avoid a suit merely proved what the progressives have said that the Supreme Court opinion leaves the real scope of the Sherman law still a matter of doubt. By adopting the word "reasonable" the By adopting the word "reasonable" the court has left the letter of the law without definiteness and compels the corporation to go into court on each case rising to

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"Slump Down"?

Roosevelt's acquiescence in the absorption of the Tenhessee Coal and Iron Com tion of the Tenhessee Coal and Iron Com-pany by the trust and say that the at-tack is all the more significant because it emanates from a Cabinet officer and a former Cabinet officer of the Taft Administration.

MARSHAL SERVES PAPERS HERE Judge Gary Got His First-Steel Men All. Silent About the Suit.

United States Marshal Woodbury Snow den of Trenton and an assistant climbed aboard a train bound for this city at 4:30 o'clock yesterday afternoon with subpoenas and copies of the Government's petition and the mission of serving the papers on such individual defendants the suit against United States Steel as might be in New York last night. The subposnas were issued by Judge Lanning of the Circuit Court in Trenton, and Mar shal Snowden had instructions to serve them on John D. Rockefeller, who was at Pocantico Hills last night; on Daniel G. Reid, who was at Irvington; on Norman B. Ream, who was somewhere out of town; on J. Pierpont Morgan, who was also away; hamton were among the defendante in on Henry C. Frick. Judge Moore and any others that he might find around town.

As soon as he arrived in town the Marshal headed straight for the Waldorf and waited there until Judge Gary came Then at precisely 7 o'clock he handed the Judge a copy of the petition and went that the Government had begun a suit away with a sigh of relief and the un-

Judge Gary would say nothing about the suit and Francis Lynde Stetson. The Department of Justice made public counsel for the Steel Corporation, and the information after hearing by long representatives of J. P. Morgan & Co. were also silent.

Andrew Carnegie was among those who had nothing at all to say.

EFFECT ON PHILANTHROPIES. Carnegie Trustees Wonder What Will Become of Bonds.

PITISBURG, Oct. 26.-When reports of the steel trust prosecution reached Pittsburg this afternoon financiers and steel men were astonished,

Probably the greatest dismay and apprehension exist among the Carnegie philanthropies in this city. The Carnegie Institute. the libraries, the Carnegie Technical and the Margaret Morrison schools, the Carnegie pension system, the Carnegie Hero Fund Commission and others, representing probably \$30,000,000, would be affected should the Government succeed in dissolving the Steel Cor-

These philanthropies are supported by 5 per cent. first mortgage bonds. Should the subsidiaries of the Steel Corporation be regrouped the effect is problematical.

News of the suit reached Pittsburg shortly before 3 o'clock and its effect was immediately felt on the Stock Exchange Although the reaction was not heavy it

morrow will bring forth.

Many of the leading steel men of Pittsburg are in New York. A prominent independent steel manufacturer to-night
said: "Of all alleged monopolies in restraint of trade against which action has been taken by the Government the United States Steel Corporation is one against which no complaints have been offered either by conjections or customers. When the steel trust was formed, tomers. When the steel trust was formed, in 1901, it controlled 60 per cent. of the trade in America. The 1910 report shows that it does not control 50 per cent. The steel business has prospered through fair dealing and open business methods and independents have fared well in the face of this so-called combine. Prices have been steady through the ruling influences of the Steel Corporation and the business has prospered greatly."

CHESTNUT VENDERS BATTLE. Taunt Exchanging Greeks Carry on War With Roasting Pans.

Long Acre Square paid close attention ast night to two Greek chestnut venders who squared off at Forty-second street and Broadway and belabored each other with their roasting pans. It could be seen through the veil of flying chestnuts and vowels that one of the contestants was getting much the worst of the fight Presently the worsted one staggered out to go into court on each case; urising to determine whether or not it is within the law. This indefiniteness the progressives hope to remedy by amendments declaring just what the law means.

The petition filed to-day is based on information that represents more work than any of the other anti-trust cases yet brought by the Government. The Bureau of Corporations worked six years collecting information and to this was added the testimony taken by the Stanley investigating committee of the House and certain other facts collected by the bureau of investigation of the Department of Justice under the direction of Solicitor-General Lehmann.

Friends of Representative Stanley of Kentucky, chairman of the special investigating committee of the House, after reading the petition of the Government declared that the Attorney-Gental Lehmann.

The petition filed to-day is based on information that represents more work that a hospital surgeon might stitch the ten cuts that were found in the scalp. Theother Greek was locked up.

They were Peter Thomas and Peter Clautis. It was explained that few of the chestinut sellers have licenses from somebody representing himself as representing the city. Clautis, is seems, had a "licenses" that did not come through the regular channels. Thomas the third with a club as well as with the roasting pan, and so it was that the Greek who had to retire to the surgeon was those they trust for the theatre of war and was carried to the West Forty-seventh street police station, where his thick black hair was cut in order that a hospital surgeon might stich the ten cuts that were found in the west Forty-seventh street police station, where his thick black hair was cut in order that a hospital surgeon might stich the ten cuts that were found in the west Forty-seventh street police station, where his thick black hair was cut in order that a hospital surgeon might stich the the at hospital surgeon might stich the treat where his thick black hair was cut in order that a hospital surgeon might stich the tr of the theatre of war and was carried to

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Its medicinal and stimulating properties and purity are singular to itself and have given it a worldwide

W. A. Taylor & Co., Agents, New York

POLITICIANS LOSE LAWSEIT Judgment of \$92,000 Paid at Once Time Recorder Litigation.

George W. Dunn, Republican leader of Broome county; Congressman George W. Fairchild of Oneonta, and former State Senator George E. Green of Binga suit on trial before Supreme Court Justice Newburger for two weeks, in which Justice Newburger ordered judgment yesterday for the plaintiff. James S. MacCoy, for \$92,000. Within an hour after the judgment had been entered the defendants paid that amount to MacCoy's lawyer, Hugh Gordon Miller.

Among the other defendants in the case were the International Time Recording Company of New York and the International Time Recording Company of New Jersey. MacCoy sued in behalf of the Standard Time Stamp Company, which he controlled when he sold out to the defendant corporations. He not only asked for an accounting, which he insisted would show that about \$600,000 was due him, but to cancel various contracts which he alleged had been obtained by fraud. The judgment for \$92,000 is in full

settlement.

Congressman Fairchild is president of the defendant corporations, and former State Comptroller James A. Roberts is a director. John B. Stanchfield defended the action and Julius H. Mayer was trial counsel for the plaintiff.

MacCoy set forth that through the fraud of the defendant he was led to transfer all the business, patents and other property of the Standard Time Recording Company to the Willard & Frick Company of Rochester, of which he was a director, in 1900 for a small sum of more ender

of Rochester, of which he was a director, in 1900 for a small sum of money and a block of stock that has paid no dividends. The Willard & Frick Company was then dissolved and the International Time Recognized Company assumptions. cording Company organized to take over the rights of the former, with a capital of \$2,000, which was increased later to \$1,850,000. MacCoy said that while he

a year from the Willard & Frick Compan these royalties stopped in 1901, and who he tried to compel the International continue the royalties after the Willar & Frick Company was dissolved the In-ternational set forth that machines muc on the Standard type were turned out a a loss.

MacCoy said he didn't learn that he had been defrauded until he heard testimony in the Federal courts relating to the earnings of the Willard & Frick Company.

was to get minimum royalties of \$8,000 a year from the Willard & Frick Company

Fortify **Your System**

against the sudden changes of our erratic climate. The surest protection against colds, grippe and kindred ills is an abundance of rich, red blood. The greatest blood-maker in the world is



In Bottle Everywhere

Special Pin-Casks (5 gallons), for family use on draught at home, from any department store, dealer or jobber. Bass & Co., Brewers, New York.

Smoky Fireplaces Made to Draw

Your particular chimney problem studied by experts, and estimates given without charge. The work is undertaken with this understanding: We will not accept payment unless successful

Kitchen ventilating systems, preventing cooking odor FREDERIC F. WHITLEY Engineer and Contractor 215 Fulton Street. Brooklyn, N. Y

MARRIED.

ORNWALLIS-BOWEN .- On October 14. 19 London, at the Church of the Holy Trinity Kensington-Gore, by the Right Reverend the Lord Bishop of London, assisted by the Rev. H. B. Coward, vicar of the parish, Kinanan Cornwallis, Sudan Civil Service, eldest son of Bishop of Connecticut, to Gertrus daughter of Mr. and Mrs. A. E. Colworth, Bedfordshire, and 5 Quesplace, S. W. London.

Church of the Holy Trinity, Philadel the Rev. Floyd W. Tomkins, D. D. Jutte, daughter of Mrs. William

UFTS KING .- On October 26, Walter Brown Tufts to Gertrude Evans king vounces daughter of the late Col. W. F. King, U.S.A.

DIED.

BABCOCK .- At her home, Montelair, N. J. on October 25, in her forth year, Mary We Babcock, wife of the late Paul Babcock daughter of Prof. Edwin D. and Mary We Sanborn. The funeral will be held a late home, 115 Llewellyn road, Mon N. J., on Friday, October 27, at 2:30 Train leaves Hoboken for Montelair a P. M., Friends will kindly not send flow. P. M. Friends will kindly not send flowers HOLLAND. - On October 25, 1911, Ralph He

Holland, beloved husband of Virginia Hewe Holland. Services will be held at St. Stephen's Church. 122-128 West 69th st., New York city, on Fil-day, October 27, at 2 o'clock P. M. Picase

do not send flowers. LEE .- On October 25, 1911, Benjamin Klee, be loved husband of Rose Kahn Klee. 51th year. Funeral Friday afternoon, October 27, 1811.

1:30 o'clock, at his late residence, 356 W

UNDERTAKERS.

FRANK E. CAMPBELL. 241-243 W. 23d St. Chapels. Ambulance Service. Tel. 1824 Chelses.